

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18th day of June, 1998

Before:

THE HON'BLE MR. JUSTICE R.V. RAVEENDRAN

Writ Petition No. 31848 of 1993

Smt. K.G. Sharadamma,
w/o Sri K. Gurumurthy,
residing at No.1701,
7th Main, 'E' Block,
Rajajinagar II Stage,
Bangalore - 560 010

..Petitioner

(By Sri R. Gururajan, Advocate)

-Vs-

1. Bangalore Water Supply and
Sewerage Board,
having its Offices at
Cauvery Bhavan,
Bangalore - 560 009,
represented by its
Secretary;

2. The Assistant Executive
Engineer,
B.W.S.S.B.,
Malleswaram 18th Cross,
Bangalore - 560 003

.. Respondents

(By Sri S.N.Keshava Murthy, Adv., for R1 & R2)

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Writ Petition is filed praying to direct the respondents to rectify the meter and to collect the water consumption charges on the basis of the actual supply.

This writ petition coming on for preliminary hearing in 'B' Group this day, the Court made the following:-

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The petitioner claims to be the owner of premises bearing No.1701, 7th Main, II Stage, Rajajinagar, Bangalore. She is obtaining water supplied from the B.W.S.S.B. and she is being billed for the water supplied as per the readings recorded in the meter installed in the said premises. She is aggrieved by the bill for the month of August 1993 (Annexure-D) which is for a sum of Rs.1,800-15. The said sum is made up of Rs.280-10 and Rs.3/- towards meter service charge, Rs.1,444-55 as arrears and Rs.72-50 as underground drainage charges. According to petitioner, what is claimed as dues is a revision of the claims already made and such a revision or backbilling is not warranted. It is also the contention of the petitioner that the meter has not been functioning properly and the meter has not been rectified. In these circumstances, the petitioner has filed this petition seeking a direction to the Board to rectify the meter and to collect the water consumption charges on the basis of the actual supply. She has also sought a direction for quashing Annexure-D issued for the month of August 1993 claiming a sum of Rs.1,800-15. She also seeks a direction to

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the respondents to refund a sum of Rs.1,977-70 said to have been collected in excess.

2. This Court on 29-9-1993 granted an interim stay of disconnection of water supply for nonpayment of the said amount.

3. The Board has filed its objections stating that whenever there were complaints, the meters were changed and the amount claimed in Annexure-D is not on account of any revision of the bills nor on account of any backbilling. The Board has produced the ledger extract in regard to the meter bearing No.RR.86595/S-14/179 installed in the said premises. Relying on the said extract, the respondents contend that what is claimed is the actual arrears in regard to the water supplied to the petitioner and billed.

4. In view of the above, all that can be done is to permit the petitioner to verify the said ledger extract and point out any errors therein i.e., omission to take note of any payments made. If any objections are filed by the petitioner within 15 days from today pointing out any errors, the Board may consider the same and make due corrections.

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If there are any arrears, the petitioner will be bound to pay the amount demanded. It is also open to the petitioner to bring to the notice of the Board any unusual ^{or excessive} consumptions ^{figures.} If any payment has been made in pursuance of Annexure-D, the same shall be subject to accounting as stated above.

5. With the above observations, the petition is dismissed.

Sd/-
JUDGE



Bnr/-